

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division**

KEVIN REAGAN, )  
Plaintiff, )  
v. ) Civil Action No. 4:23-cv-158  
WILLIAM J. BURNS, Director, )  
Central Intelligence Agency, )  
Defendant. )

## **PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

Plaintiff Kevin Reagan, by and through undersigned counsel, hereby opposes Defendant's Motion to Dismiss Plaintiff's Complaint (Dkt. 44) and requests that this Court deny Defendant's Motion in its entirety, for the reasons articulated in Plaintiff's Memorandum of Points and Authorities in Opposition to Defendant's Motion to Dismiss, which is attached hereto and incorporated herewith.

Dated: October 28, 2024<sup>1</sup>

Respectfully submitted,

/s/ LENORE C. GARON  
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<sup>1</sup> This Opposition and the accompanying Memorandum in Support thereof were submitted to the PCRB on October 11, 2024, as required by the Court's Order of September 25, 2024 (Dkt. 50). On October 28, 2024, the PCRB informed Plaintiff's counsel that Plaintiff's Opposition and the Memorandum in Support thereof contain no classified information and may be filed without revision. Thus, Plaintiff is hereby filing his Opposition and Memorandum in Support which were submitted to the PCRB on October 11, 2024.

*Attorney for Plaintiff*

/s/ DANIEL K. GEBHARDT  
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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Plaintiff's Opposition to Defendant's Motion to Dismiss, and a proposed order, was served on this 28th day of October 2024 via electronic filing using this Court's CM/ECF system, on Defendant:

Daniel P. Shean, Assistant U.S. Attorney  
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/s/ Lenore C. Garon  
Lenore C. Garon